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July 21, 2022

By ECF

The Honorable LaShann DeArcy Hall
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Trooper 1 v. New York State Police, et al.*, 22-cv-00893 (LDH) (TAM)

Dear Judge DeArcy Hall:

We represent defendants, Melissa DeRosa and Richard Azzopardi. As the Court is aware, we wrote your Honor on June 6, 2022 requesting a pre-motion conference in anticipation of filing a motion on behalf of Ms. DeRosa and Mr. Azzopardi to stay discovery pending the resolution of their motion to dismiss Plaintiff's amended complaint in its entirety as to them. Defendants have served their motion to dismiss on Plaintiff and expect the motion will be fully submitted on August 30, 2022. We request a stay to avoid the unnecessary cost and burden of discovery should our motion be granted.

Plaintiff has requested that we participate in discovery notwithstanding our request for a stay. We have spoken with Plaintiff's counsel and as a compromise proposed treating Ms. DeRosa and Mr. Azzopardi as third parties for the purpose of discovery during the pendency of our motion to dismiss, which we suggested would allow Plaintiff to obtain relevant documents already produced by Defendants in connection with the investigations conducted by the Attorney General and the Assembly, but limit the additional expensive forensic searches that may be required if the Defendants remain parties to this proceeding. Plaintiff refused.

I am writing now to follow up on our June 6, 2022 letter and respectfully ask if it would be possible to schedule a conference to address our request to file a motion to stay discovery as to Ms. DeRosa and Mr. Azzopardi. Alternatively, we request that the Court permit defendants to file the proposed motion to stay discovery without a conference. When we spoke with Plaintiff's

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counsel, he informed us that Plaintiff still opposes our request to stay discovery for the reasons set forth in her June 13, 2022 letter.

Thank you for your consideration of this matter.

Sincerely,

/s/ Elkan Abramowitz
Elkan Abramowitz

CC: Counsel of Record (by ECF)